

1 DRAFT PREPARED BY LEGISLATIVE COUNCIL  
2 For: Sen. Fanning  
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9 **A BILL**

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11 TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA,  
12 1976, BY ADDING ARTICLE 9 TO CHAPTER 25, TITLE 59 SO  
13 AS TO ENACT THE “TEACHER BILL OF RIGHTS” AND TO  
14 ENUMERATE THE BASIC RIGHTS TO WHICH ALL  
15 CERTIFIED PUBLIC SCHOOL TEACHERS IN THIS STATE  
16 ARE ENTITLED.

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18 Whereas, respecting the professional judgment and authority of all  
19 public school teachers is essential to creating an environment  
20 conducive to learning, the implementation of effective instruction in  
21 the classroom, and the development of a culture of achievement in  
22 all of South Carolina’s public schools; and  
23

24 Whereas, to maintain and protect the professionalism of South  
25 Carolina’s teachers, it is incumbent that all stakeholders in the  
26 public education system are fully informed and aware of the  
27 inalienable rights conferred upon all public school teachers in South  
28 Carolina. Now, therefore,  
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31 Be it enacted by the General Assembly of the State of South  
32 Carolina:  
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34 SECTION 1. Chapter 25, Title 59 of the 1976 Code is amended by  
35 adding:  
36

37 “Article 9

38  
39 Teacher Bill of Rights

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41 Section 59-25-910. This act must be known and may be cited as  
42 the ‘Teacher Bill of Rights’.

1 Section 59-25-920. All certified public school teachers in South  
2 Carolina have a right to:

- 3 (1) have their professional judgment and discretion concerning  
4 disciplinary action or instructional decisions in the classroom made  
5 in accordance with school and district policy be fully respected by  
6 school and district officials;
- 7 (2) teach free from fear of frivolous lawsuits, including the right  
8 to qualified immunity and to a legal defense, and to indemnification  
9 by the employing school board for actions taken in the performance  
10 of duties of the teacher's employment;
- 11 (3) take appropriate disciplinary measures, including the  
12 removal of persistently disruptive students, pursuant to school  
13 policy and district policy, to facilitate a learning environment built  
14 upon a mutual culture of respect between teacher and assigned  
15 students;
- 16 (4) work in a safe, secure, and orderly environment that is  
17 conducive to learning and free from recognized dangers, hazards, or  
18 threats that are causing or likely to cause serious disability;
- 19 (5) an unencumbered daily planning time, equal to no less of one  
20 quarter of their assigned instructional time, free from meetings,  
21 duties, or requirements incompatible with the effective planning of  
22 instruction;
- 23 (6) a salary commensurate with that of the recognized  
24 southeastern average salary of public school teachers with similar  
25 years of experience, educational degrees, and certification;
- 26 (7) be free of excessive and burdensome paperwork related to  
27 disciplinary actions, state or district evaluation procedures, and  
28 other administrative inquiries that prevent fulfillment of the  
29 teacher's primary directive to implement effective instruction for  
30 their students;
- 31 (8) additional compensation for work time required above and  
32 beyond stated contracted days and established work day parameters  
33 for duties associated with their responsibilities as teachers;
- 34 (9) receive, as teachers under induction contracts, leadership  
35 and support from school and district personnel, including the  
36 assignment of qualified mentors who:
  - 37 (a) commit to helping them become competent and confident  
38 professionals in the classroom; and
  - 39 (b) offer support and assistance as needed to meet  
40 performance standards and professional expectations; and
- 41 (10) to legal recourse should schools or school districts establish  
42 policies or implement standard expectations of behavior that prevent  
43 teachers from exercising the rights stated herein."

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2 SECTION 2. This act takes effect upon approval by the Governor.  
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